

(9) Prior to the Taliban takeover in August 2021, approximately 7,000,000 people in Afghanistan lacked or had limited access to essential health services as a result of inadequate public health coverage, weak health systems, and conflict-related interruptions in care. Women and girls faced additional challenges, as their access to life-saving services (for example, emergency obstetric services) was limited due to a shortage of female medical staff, cultural barriers, stigma and fears of reprisals following sexual violence, or other barriers to mobility, including security fears.

(10) Only approximately 50 percent of pregnant women and girls in Afghanistan deliver their children in a health facility with a professional attendant, which increases the risk of complications in childbirth and preventable maternal mortality. Food insecurity in Afghanistan is also posing a variety of threats to women and girls as malnutrition weakens their immune systems, making them more susceptible to infections, complications during pregnancy, and risks during childbirth.

(11) Adolescent girls are particularly at risk due to the lack of safe and accessible reproductive health services.

(12) With the combined impacts of ongoing conflict and COVID-19, Afghan households increasingly resort to child marriage, forced marriage, and child labor to address food insecurity and other effects of extreme poverty.

(13) In Afghanistan, the high prevalence of anemia among adolescent girls reduces their ability to survive childbirth, especially when coupled with high rates of child marriage and forced marriage and barriers to accessing safe health services and information.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) since 2001, women's rights organizations and girl-led groups and networks have been important engines of social, economic, and political development in Afghanistan;

(2) any future political order in Afghanistan should secure the political, economic, and social gains made by Afghan women and work to increase the equal treatment of women and girls and improve the safe access for women and girls to essential services and information through laws and policies pertaining to public and private life;

(3) respecting the human rights of all people is essential to securing lasting peace and sustainable development in Afghanistan;

(4) in cooperation with international partners, the United States must endeavor to preserve the hard-won gains made in Afghanistan during the past two decades, particularly as related to the political and economic role, social rights, and protection of women and girls in society;

(5) the continuing humanitarian assistance to the Afghan people is critical to support women and girls, for their protection, continued education, and well-being;

(6) immediate and ongoing humanitarian needs in Afghanistan can only be met by a humanitarian response that includes formal agreements between local nongovernmental organizations and international partners that promotes the safe access and participation of female staff at all levels and across functional roles among all humanitarian actors; and

(7) a lack of aid and essential services would result in a humanitarian crisis and serve to reinforce gender inequalities and power imbalances in Afghanistan.

(c) POLICY OF THE UNITED STATES REGARDING THE RIGHTS OF WOMEN AND GIRLS OF AFGHANISTAN.—

(1) IN GENERAL.—It is the policy of the United States—

(A) to continue to support the rights of women and girls in Afghanistan following the withdrawal of the United States Armed Forces from Afghanistan, including through mechanisms to hold all parties publicly accountable for violations of international humanitarian law and human rights violations against women and girls;

(B) to strongly oppose any weakening of the rights of women and girls in Afghanistan;

(C) to instruct representatives of the United States Government to use the voice, foreign assistance, and influence of the United States directly with the Taliban and at the United Nations, including with United Nations agencies, through participation in United Nations bodies, and with representatives of other United Nations Member States, to promote, respect, and uphold the human rights of the women and girls of Afghanistan, including the right to safely work;

(D) to continue providing aid and assistance necessary to preserve the rights of women and girls in Afghanistan so that they may continue to pursue educational and professional opportunities and be equal members of Afghan society;

(E) to identify individuals who violate the basic rights of women and girls in Afghanistan, as those rights are defined by international human right standards, such as by committing murder, lynching, and grievous domestic violence against women, and to press for bringing those individuals to justice;

(F) to systematically consult with Afghan women and girls on their needs and priorities in the development, implementation, and monitoring of humanitarian action, including women and girls who are part of the Afghan diaspora community; and

(G) to ensure all humanitarian action is informed by—

(i) a gender and power analysis conducted by the Department of State that identifies forms of inequality and oppression; and

(ii) the collection, analysis, and use of data disaggregated by sex and age.

(2) DEFINITION OF AFGHAN SOCIETY.—In this subsection, the term “Afghan society” means the range of formal and informal organizations in Afghanistan, including Afghan local nongovernmental organizations as well as international nongovernmental organizations, that reflect community interests and deliver some essential services.

(d) HUMANITARIAN AID POSITIONS FOR WOMEN IN AFGHANISTAN.—The Administrator of the United States Agency for International Development shall promote that Afghanistan-based humanitarian assistance-related positions that the United States Agency for International Development is seeking to fill are offered to women who are citizens of Afghanistan to the extent practicable.

(e) REPORT ON WOMEN AND GIRLS IN AFGHANISTAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through 2024, the Secretary of State shall submit to the appropriate committees of Congress a report that includes the following:

(A) An assessment of the conditions of women's and girls' rights in Afghanistan in relation to humanitarian needs and key development outcomes following the departure of United States and partner military forces, including the access of those women and girls to primary and secondary education, jobs, health care, and equal status in society as compared to men.

(B) An assessment of the political and civic participation of women and girls in Afghanistan.

(C) An assessment of the prevalence of gender-based violence in Afghanistan.

(D) A report on United States funding obligated or expended during the period covered by the report in furtherance of gender equality and women's and girls' rights in Afghanistan, including how much funding has directly supported women's rights organizations at the local level in Afghanistan.

(2) ASSESSMENT.—

(A) INPUT.—The assessment described in paragraph (1)(A) shall include the input of—

(i) Afghan women and girls;

(ii) organizations employing and working with Afghan women and girls; and

(iii) humanitarian organizations providing assistance in Afghanistan.

(B) SAFETY AND CONFIDENTIALITY.—In carrying out the assessment described in paragraph (1)(A), the Secretary shall, to the maximum extent practicable, ensure the safety and confidentiality of personal information of each individual who provides information from within Afghanistan.

(3) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SA 4083. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ IMPROVING THE MANAGEMENT OF DRIFTNET FISHING.

(a) SHORT TITLE.—This section may be cited as the “Driftnet Modernization and Bycatch Reduction Act”.

(b) DEFINITION.—Section 3(25) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802(25)) is amended by inserting “, or with a mesh size of 14 inches or greater,” after “more”.

(c) FINDINGS AND POLICY.—

(1) FINDINGS.—Section 206(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826(b)) is amended—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(8) within the exclusive economic zone, large-scale driftnet fishing that deploys nets with large mesh sizes causes significant entanglement and mortality of living marine resources, including myriad protected species, despite limitations on the lengths of such nets.”.

(2) POLICY.—Section 206(c) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826(c)) is amended—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(4) prioritize the phase out of large-scale driftnet fishing in the exclusive economic

zone and promote the development and adoption of alternative fishing methods and gear types that minimize the incidental catch of living marine resources.”.

(d) **TRANSITION PROGRAM.**—Section 206 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826) is amended by adding at the end the following—

“(i) **FISHING GEAR TRANSITION PROGRAM.**—

“(1) **IN GENERAL.**—During the 5-year period beginning on the date of enactment of the Driftnet Modernization and Bycatch Reduction Act, the Secretary shall conduct a transition program to facilitate the phase-out of large-scale driftnet fishing and adoption of alternative fishing practices that minimize the incidental catch of living marine resources, and shall award grants to eligible permit holders who participate in the program.

“(2) **PERMISSIBLE USES.**—Any permit holder receiving a grant under paragraph (1) may use such funds only for the purpose of covering—

“(A) any fee originally associated with a permit authorizing participation in a large-scale driftnet fishery, if such permit is surrendered for permanent revocation, and such permit holder relinquishes any claim associated with the permit;

“(B) a forfeiture of fishing gear associated with a permit described in subparagraph (A); or

“(C) the purchase of alternative gear with minimal incidental catch of living marine resources, if the fishery participant is authorized to continue fishing using such alternative gears.

“(3) **CERTIFICATION.**—The Secretary shall certify that, with respect to each participant in the program under this subsection, any permit authorizing participation in a large-scale driftnet fishery has been permanently revoked and that no new permits will be issued to authorize such fishing.”.

(e) **EXCEPTION.**—Section 307(1)(M) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(1)(M)) is amended by inserting before the semicolon the following: “, unless such large-scale driftnet fishing—

“(i) deploys, within the exclusive economic zone, a net with a total length of less than two and one-half kilometers and a mesh size of 14 inches or greater; and

“(ii) is conducted within 5 years of the date of enactment of the Driftnet Modernization and Bycatch Reduction Act”.

(f) **FEEES.**—

(1) **IN GENERAL.**—The North Pacific Fishery Management Council may recommend, and the Secretary of Commerce may approve, regulations necessary for the collection of fees from charter vessel operators who guide recreational anglers who harvest Pacific halibut in International Pacific Halibut Commission regulatory areas 2C and 3A as those terms are defined in part 300 of title 50, Code of Federal Regulations (or any successor regulations).

(2) **USE OF FEES.**—Any fees collected under this subsection shall be available for the purposes of—

(A) financing administrative costs of the Recreational Quota Entity program;

(B) the purchase of halibut quota shares in International Pacific Halibut Commission regulatory areas 2C and 3A by the recreational quota entity authorized in part 679 of title 50, Code of Federal Regulations (or any successor regulations);

(C) halibut conservation and research; and

(D) promotion of the halibut resource by the recreational quota entity authorized in part 679 of title 50, Code of Federal Regulations (or any successor regulations).

(3) **LIMITATION ON COLLECTION AND AVAILABILITY.**—Fees shall be collected and available pursuant to this subsection only to the extent and in such amounts as provided in advance in appropriations Acts, subject to paragraph (4).

(4) **FEE COLLECTED DURING START-UP PERIOD.**—Notwithstanding paragraph (3), fees may be collected through the date of enactment of an Act making appropriations for the activities authorized under this Act through September 30, 2022, and shall be available for obligation and remain available until expended.

SA 4084. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10. DEFINITION OF LAND USE REVENUE UNDER WEST LOS ANGELES LEASING ACT OF 2016.

Section 2(d)(2) of the West Los Angeles Leasing Act of 2016 (Public Law 114-226) is amended—

(1) in subparagraph (A), by striking “; and” and inserting a semicolon;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

“(B) any funds received as compensation for an easement described in subsection (e); and”.

SA 4085. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 2836. PROHIBITION ON CLOSING OR RELOCATING MARINE CORPS RECRUIT DEPOT IN SAN DIEGO, CALIFORNIA.

No Federal funds may be used to close or relocate the Marine Corps Recruit Depot in San Diego, California, or to conduct any planning or other activity related to such closure or relocation.

SA 4086. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . PROTECTIONS FOR COVERED INDIVIDUALS.

Section 7211 of title 5, United States Code, is amended—

(1) by striking “The right of employees” and inserting the following:

“(a) **IN GENERAL.**—The right of covered individuals”; and

(2) by adding at the end the following:

“(b) **REMEDIES.**—

“(1) **ADMINISTRATIVE REMEDIES.**—

“(A) **IN GENERAL.**—A covered individual with respect to a Federal agency (other than a covered individual described in subparagraph (B), (C), or (D)) who is aggrieved by a violation of subsection (a) may seek corrective action under sections 1214 and 1221 in the same manner as an individual who is aggrieved by a prohibited personnel practice described in section 2302(b)(8).

“(B) **FBI EMPLOYEES.**—A covered individual with respect to the Federal Bureau of Investigation who is aggrieved by a violation of subsection (a) may seek corrective action under section 2303.

“(C) **INTELLIGENCE COMMUNITY EMPLOYEES.**—A covered individual with respect to a covered intelligence community element (as defined in section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3234(a))) who is aggrieved by a violation of subsection (a) may seek corrective action under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) or subsection (b)(7) or (j) of section 3001 of that Act (50 U.S.C. 3341).

“(D) **CONTRACTOR EMPLOYEES.**—A covered individual with respect to a Federal agency who is an employee of, former employee of, or applicant for employment with, a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section 2409 of title 10 and section 4712 of title 41) of the agency and who is aggrieved by a violation of subsection (a) of this section may seek corrective action under section 2409 of title 10 or section 4712 of title 41.

“(E) **BURDEN OF PROOF.**—The burdens of proof under subsection (e) of section 1221 shall apply to an allegation of a violation of subsection (a) of this section made under subparagraph (A), (B), (C), or (D) of this paragraph in the same manner as those burdens of proof apply to an allegation of a prohibited personnel practice under such section 1221.

“(F) **CLASS OF INDIVIDUALS ENTITLED TO SEEK CORRECTIVE ACTION.**—The right to seek corrective action under subparagraph (A), (B), (C), or (D) shall apply to a covered individual who is an employee of, former employee of, or applicant for employment with, a Federal agency described in the applicable subparagraph or a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section 2409 of title 10 and section 4712 of title 41) of such a Federal agency, notwithstanding the fact that a provision of law referenced in the applicable subparagraph does not authorize one or more of those types of covered individuals to seek corrective action.

“(2) **PRIVATE RIGHT OF ACTION.**—

“(A) **IN GENERAL.**—If a final decision providing relief for a violation of subsection (a) alleged under subparagraph (A), (B), (C), or (D) of paragraph (1) of this subsection is not issued within 210 days of the date on which the covered individual seeks corrective action under the applicable subparagraph and there is no showing that the delay is due to the bad faith of the covered individual, the